

REMARKS

In view of the following remarks, Applicant respectfully requests reconsideration and allowance of the subject application. Claims 1, 2, 6, 7, 13, 14, 16, 17 and 19 are currently amended.

5 Applicant currently amends the claims based on the BPAI's decision of January 31, 2006. In particular, the BPAI held that "rendering", as recited in the claims, encompassed more than just rendering of digital data. To address this broad interpretation, Applicant now amends the claims to thereby narrow the "rendering" to rendering of digital data. Further, the recited "data network" is
10 now explicitly a "digital data network" where requests and digital media data are via the digital data network.

With respect to the BPAI's decision of January 31, 2006, to facilitate review, Applicant represents three relevant sections below:

15 Further, we note the section cited by appellants does not specifically identify the "decompressor/renderer" as operating only on digital data. Lines 22 and 23 [at page 12 of the specification] state that decompression is only required if the data is in a compressed (i.e., MPEG (a digital format)) which, suggests to us that rendering applies to a broader range of data than just compressed digital files.

20 BPAI decision of January 31, 2006, page 2, fn 1 (comment added in brackets).

25 The examiner stated on pages 5 and 6 of the answer that "rendering" is interpreted as "To convert (Graphics) from a file into visual form, as on a video display." The examiner does not identify that the files are necessarily digital. Appellant acknowledge that the claims do not discuss digital data and request us to read a limitation from the specification into the claims. Our reviewing court has cautioned against such claim interpretation.

30 BPAI decision of January 31, 2006, page 3.

We do not consider the interpretation of the claim term "rendering" in our decision to be different than that applied by the examiner [i.e., broader than rendering of digital data].

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BPAI decision of January 31, 2006, page 4 (comment added in brackets).

Applicant submits that the insertion of "digital" in the claims (as applied to the media data, the data network and the rendering) addresses the concerns 10 and interpretation of the BPAI's decision of January 31, 2006. Therefore, Applicant submits that the claims as currently amended are patentable over U.S. Patent No. 5,205,929 to Langford et al. (Langford reference) in view of U.S. Patent No. 5,790,794 to DuLac et al. (DuLac reference).

In particular, Applicant asserts that the Langford reference and the 15 DuLac reference do not disclose, teach or suggest transmitting frame requests via a digital data network, receiving frames, as digital data, via the digital data network from a first digital data source and a second digital data source and rendering, from digital data, the received frames such that playback of frames from the first and second digital data sources appears seamless.

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Conclusion

Pending claims 1-19 are believed to be in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the present application. Should any issue remain that prevents immediate issuance

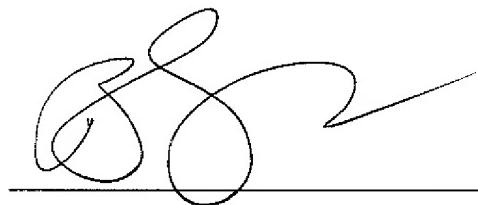
of the application, the Examiner is encouraged to contact the undersigned attorney to discuss the unresolved issue.

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Respectfully Submitted,
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